

ORIGINAL

BEFORE THE
Federal Communications Commission
WASHINGTON, DC 20554

RECEIVED
MAY -7 1996
FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

In the Matter of

Federal-State Board on
Universal Service

)
)
)
)

CC Docket No. 96-45

DOCKET FILE COPY ORIGINAL
REPLY COMMENTS OF
MOBILEMEDIA COMMUNICATIONS, INC.

Gene P. Belardi
Vice President

MobileMedia Communications, Inc.
2101 Wilson Boulevard, Suite 935
Arlington, Virginia 22201
(703) 312-5152

May 7, 1996

No. of Copies rec'd
List ABCDE

0 + 6

BEFORE THE
Federal Communications Commission
WASHINGTON, DC 20554

In the Matter of)	
)	
Federal-State Board on)	CC Docket No. 96-45
Universal Service)	

**REPLY COMMENTS OF
MOBILEMEDIA COMMUNICATIONS, INC.**

I. INTRODUCTION

MobileMedia Communications, Inc. ("MobileMedia"),¹ hereby submits these reply comments in the above-captioned docket.² In its opening comments, MobileMedia demonstrated that Section 332(c) of the Communications Act exempts CMRS providers, especially one-way paging companies,³ from bearing any financial responsibility for costs associated with support for intrastate universal service because one-way paging is not a "replacement" for land line telephone exchange service in any state. This argument was not refuted by a single commenter.

¹ MobileMedia, the parent company of MobileMedia Paging, Inc. and Mobile Communications Corporation of America, holds narrowband paging licenses throughout the common carrier and private carrier bands. In addition, the company has two nationwide one-way wireless networks, and two nationwide narrowband PCS licenses.

² *In the Matter of Federal-State Joint Board on Universal Service*, CC Docket No. 96-45, Notice of Proposed Rulemaking and Order Establishing Joint Board, FCC 96-93 (rel. Mar. 8, 1996) ("*NPRM*").

³ The terms "one-way paging" and "narrowband paging" are used interchangeably herein.

MobileMedia also argued that the Section 254 *de minimis* exception exempts one-way paging carriers from having to contribute to interstate universal support. Consistent with this proposition, only a handful of commenters mentioned paging, and then only to include paging companies among a laundry list of potential contributors to universal service. This absence of attention serves to underscore that paging companies comprise a very small segment of the overall telecommunications industry and should thus be relieved of any universal service obligations pursuant to the *de minimis* exception.

Finally, MobileMedia contended that should narrowband paging carriers be required to contribute, such contributions should be kept at a level that is proportionately less than that required of other telecommunications carriers because (1) narrowband paging companies will most likely not receive universal service support, and (2) paging companies generally operate at low (or nonexistent) profit margins when compared to other segments of the telecommunications industry

II. SECTION 332(c)(3) OF THE COMMUNICATIONS ACT EXEMPTS CMRS PROVIDERS FROM STATE-IMPOSED UNIVERSAL SERVICE OBLIGATIONS

MobileMedia noted in its comments that the 1993 Budget Act revisions to the Communications Act of 1934 granted the Commission exclusive jurisdiction over one-way paging and other types of CMRS. Of particular relevance in this proceeding, Section 332(c)(3) exempts CMRS providers, including one-way paging providers, from state-imposed universal service obligations except “where such services are a substitute for land line telephone exchange services for a substantial portion of the communications

within such a State.”⁴ MobileMedia explained, and several commenters agreed, that one-way paging is not, and never will be, a substitute for land line telephone exchange service in any state and is therefore exempt from state imposed universal service requirements.⁵ Moreover, nothing in the Telecommunications Act of 1996 rescinded the 1993 Budget Act’s preemption of state regulatory authority to impose intrastate universal service obligations on one-way paging companies.⁶ Accordingly, narrowband paging companies are not subject to intrastate universal service obligations.

III. PAGING CARRIERS ARE SUBJECT TO THE *DE MINIMIS* EXCEPTION AUTHORIZED BY CONGRESS WITH RESPECT TO INTERSTATE UNIVERSAL SERVICE OBLIGATIONS

Section 254(d) states that “[t]he Commission may exempt a carrier or class of carriers from . . . [having to contribute to a universal service support fund mechanism] if the carrier’s telecommunications activities are limited to such an extent that the level of such carrier’s contribution to the preservation and advancement of universal service would be *de minimis*.” MobileMedia contended in its comments, as did other commenters, that the Commission should exempt those carriers or entities whose profit

⁴ 47 U.S.C. § 332(c)(3).

⁵ See Comments of MobileMedia at 4-6; see also Comments of Reed Smith Shaw & McClay at 5 (“Section 332(c)(3) of the Act leaves authority in the states to regulate intrastate universal service responsibilities for CMRS carriers providing intrastate services within their jurisdiction only to the extent the CMRS services can substitute for land line telephone exchange service for a substantial portion of the communications within such a state.”); the Personal Communications Industry Association (“PCIA”) at 9-11; AirTouch Communications, Inc. (“AirTouch”) at 3-6; the Cellular Telecommunications Industry Association (“CTIA”) at 4-8.

⁶ See, e.g. Comments of Reed Smith Shaw & McClay at 6.

margins and market share are so small that their contribution would be *de minimis*. Specifically, Teleport notes that “[i]t would be unreasonable to expect a carrier to contribute to the support fund if such contribution would . . . have no significant impact on . . . the substantiality of the fund itself.”⁷ Moreover, paging carriers, like providers of unlicensed services, are a class of carriers whose likely contributions to universal service are insignificant, particularly when compared to providers of other interstate services.⁸

As MobileMedia explained in its comments, the 1994 Telecommunications Relay Services Fund (“TRS Fund”) contribution of mobile service carriers, a category of providers that includes paging carriers, comprised only .6% of all TRS Fund contributions.⁹ Even more revealing, paging carriers, together with competitive access providers, dispatch carriers, operator service providers, pay phone operators and resellers, accounted for just 3% of all telecommunications revenues.¹⁰ These classes of carriers were included in the same category, “Other,” because of their relatively small share of total interstate telecommunications revenues.¹¹ Consistent with Section 254(d)

⁷ See Comments of Teleport Communications Group, Inc. at 13.

⁸ See Comments of Metricom, Inc. at 3.

⁹ *Telecommunications Industry Revenue: TRS Fund Worksheet Data*, Table 2 (Feb. 1996).

¹⁰ *Spring 1996 Common Carrier Competition Report* (Apr. 10, 1996) at 6. By comparison, cellular carriers alone accounted for 7%. *Id.*

¹¹ It is noteworthy that the Commission has already acknowledged that the revenues of one participant in this group — competitive access providers — are *de minimis*: “[e]ven though competitive access provider (CAP) revenues have gone to approximately \$1.15 billion in 1995, they still represent a *de minimis* portion of the market.” *In the Matter of Implementation of the Local Competition Provisions in the Telecommunications Act*, Notice of Proposed Rulemaking, CC

of the 1996 Act, the Commission should therefore exempt narrowband paging carriers from having to contribute toward the cost of interstate universal service because the level of their contribution clearly would be negligible, particularly when compared with the potentially significant costs that would be incurred by paging companies in assessing the amount that must be contributed.

MobileMedia also noted in its comments that Section 332(c)(3) specifically exempts CMRS providers from state-imposed universal service obligations except “where such services are a substitute for land line telephone exchange services for a substantial portion of the communications within such a State.” There was support for MobileMedia’s assertion that implicit in this standard is Congress’ intent that providers of services such as one-way paging, which will never be a substitute for local exchange services, would never be appropriate candidates for universal service contributions on any level.¹²

IV. AT WORST, PAGING CARRIERS SHOULD BE REQUIRED TO CONTRIBUTE PROPORTIONATELY LESS THAN OTHER TELECOMMUNICATIONS CARRIERS

As explained in MobileMedia’s comments, equity dictates that any universal service fund contributions imposed on narrowband paging carriers should not be based on a pro rata assessment vis-a-vis other telecommunications service providers. This is

¹¹ (...continued)
Docket No. 96-98, (FCC 96-182) (rel. Apr. 19, 1996) at n.13.

¹² See, e.g., Comments of Reed, Smith, Shaw & McClay at 10-11 (wireless services are not comparable or a substitute for basic service and should be exempted from support of universal services).

because one-way paging service, unlike other telecommunications services, will likely never be eligible for support. Neither the Commission nor any of the commenters suggest that one-way paging is the kind of traditional, dial-tone service constituting one of the “core” services eligible for support.¹³ Furthermore, paging carriers’ profit margins are low (or virtually non-existent) when compared to other industry segments. Thus, it would clearly be inequitable and discriminatory for the Commission to subject paging carriers to the same pro rata contribution requirement imposed on other segments of the industry whose profit margins are much higher

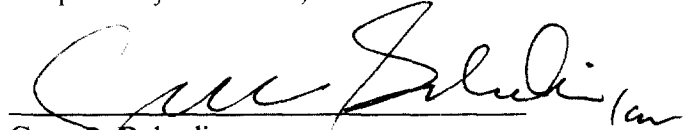
V. CONCLUSION

Section 332(c) of the Communications Act exempts one-way paging companies from bearing any financial responsibility for costs associated with support for intrastate universal service. In addition, the *de minimis* exception set forth in Section 254(d) should exempt paging carriers from universal service contribution requirements for

¹³ *NPRM* at ¶¶ 15-22. In fact, several commenters argue that the services which should be deemed “core” are dial-tone and access services only. *See* Comments of Sprint at 7-8; BellSouth at 5-6; LCI International at 3; Bell Atlantic at 7-8; Ameritech at 6-7. Brite Voice Systems, Inc. is the only party to specifically address paging. Brite Voice merely suggests, however, that *two-way* paging be eligible for universal support. *See* Comments of Brite Voice Systems, Inc. at 5.

interstate services. To the extent the Commission determines that one-way paging companies must contribute toward the cost of interstate universal service, equity dictates that such contributions be assessed at a lower pro rata level than that required of other telecommunications carriers.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "Gene Belardi", is written over a horizontal line.

Gene P. Belardi
Vice President

MobileMedia Communications, Inc.
2101 Wilson Boulevard, Suite 935
Arlington, Virginia 22201
(703) 312-5152

May 7, 1996

CERTIFICATE OF SERVICE

I, Phyllis Martin, do hereby certify that copies of the foregoing "Reply Comments of MobileMedia Communications, Inc." were served this 7th day of May, 1996 by first class United States mail, postage prepaid to the following:

*The Honorable Reed E. Hundt, Chairman
Federal Communications Commission
1919 M Street, N.W., Room 814
Washington, D.C. 20554

*The Honorable Andrew C. Barrett
Commissioner
Federal Communications Commission
1919 M Street, N.W., Room 826
Washington, D.C. 20554

*The Honorable Susan Ness, Commissioner
Federal Communications Commission
1919 M Street, N.W., Room 832
Washington, D.C. 20554

The Honorable Julia Johnson
Commissioner
Florida Public Service Commission
Capital Circle Office Center
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850

The Honorable Kenneth McClure
Vice Chairman
Missouri Public Service Commission
301 W. High Street, Suite 530
Jefferson City, MO 65102

The Honorable Sharon L. Nelson
Chairman
Washington Utilities and Transportation
Commission
P.O. Box 47250
Olympia, WA 98504-7250

The Honorable Laska Schoenfelder
Commissioner
South Dakota Public Utilities Commission
500 E. Capital Avenue
Pierre, SD 57501

Martha S. Hogerty
Public Counsel for the State of Missouri
P.O. Box 7800
Harry S. Truman Building, Room 250
Jefferson City, MO 65102

*Deborah Dupont, Federal Staff Chair
Federal Communications Commission
2000 L Street, N.W., Suite 257
Washington, D.C. 20036

Paul E. Pederson, State Staff Chair
Missouri Public Service Commission
P.O. Box 360
Truman State Office Building
Jefferson City, MO 65102

Eileen Benner
Idaho Public Utilities Commission
P.O. Box 83720
Boise, ID 83720-0074

Charles Bolle
South Dakota Public Utilities Commission
State Capital, 500 E. Capital Avenue
Pierre, SD 57501-5070

Lorraine Kenyon
Alaska Public Utilities Commission
1016 West Sixth Avenue, Suite 400
Anchorage, AK 99501

Debra M. Kriete
Pennsylvania Public Utilities Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

*Clara Kuehn
Federal Communications Commission
2000 L Street, N.W., Suite 257
Washington, D.C. 20036

Mark Long
Florida Public Service Commission
2540 Shumard Oak Blvd.
Gerald Gunter Building
Tallahassee, FL 32399-0850

Samuel Loudenslager
Arkansas Public Service Commission
P.O. Box 400
Little Rock, AR 72203-0400

Sandra Makeeff
Iowa Utilities Board
Lucas State Office Building
Des Moines, IA 50319

Philip F. McClelland
Pennsylvania Office of Consumer Advocate
1425 Strawberry Square
Harrisburg, Pennsylvania 17120

Michael A. McRae
D.C. Office of the People's Counsel
1133 15th Street, N.W., Suite 500
Washington, D.C. 20005

*Rafi Mohammed
Federal Communications Commission
2000 L Street, N.W., Suite 812
Washington, D.C. 20036

Terry Monroe
New York Public Service Commission
Three Empire Plaza
Albany, NY 12223

*Andrew Mulitz
Federal Communications Commission
2000 L Street, N.W., Suite 257
Washington, D.C. 20036

*Mark Nadel
Federal Communications Commission
1919 M Street, N.W., Room 542
Washington, D.C. 20554

*Gary Oddi
Federal Communications Commission
2000 L Street, N.W., Suite 257
Washington, D.C. 20036

Teresa Pitts
Washington Utilities and Transportation
Commission
P.O. Box 47250
Olympia, WA 98504-7250

*Jeanine Poltronieri
Federal Communications Commission
2000 L Street, N.W., Suite 257
Washington, D.C. 20036

James Bradford Ramsay
National Association of Regulatory Utility
Commissioners
1201 Constitution Avenue, N.W.
Washington, D.C. 20423

*Jonathan Reel
Federal Communications Commission
2000 L Street, N.W., Suite 257
Washington, D.C. 20036

Brian Roberts
California Public Utilities Commission
505 Van Ness Avenue
San Francisco, CA 94102-3298

*Gary Seigel
Federal Communications Commission
2000 L Street, N.W., Suite 812
Washington, D.C. 20036

*Pamela Szymczak
Federal Communications Commission
2000 L Street, N.W., Suite 257
Washington, D.C. 20036

*Whiting Thayer
Federal Communications Commission
2000 L Street, N.W., Suite 812
Washington, D.C. 20036

Deborah S. Waldbaum
Colorado Office of Consumer Counsel
1580 Logan Street, Suite 610
Denver, Colorado 80203

*Alex Belinfante
Federal Communications Commission
2033 M Street, N.W., Room 500
Washington, D.C. 20554

*Larry Povich
Federal Communications Commission
2033 M Street, N.W., Room 500
Washington, D.C. 20554

*William Howden
Federal Communications Commission
2000 L Street, N.W., Suite 812
Washington, D.C. 20036

Bonnie Price
7027 Haverhill Park Road
Whitter, CA 90602

Rachel B. Ferber
Vice President, Assistant General Counsel
360° Communications Company
8725 Higgins Road
Chicago, IL 60631

Benjamin Perez, Esq.
Gerald M. Zuckerman, Esq.
Mark J. Becker, Esq.
Abacus Communications Company
Suite 101
1801 Columbia Road, N.W.
Washington, DC 20009

Mary E. Newmeyer
Federal Affairs Advisor
Alabama Public Service Commission
P.O. Box 991
Montgomery, AL 36101

James Rowe
Executive Director
Alaska Telephone Association
4341 B Street, Suite 304
Anchorage, AK 99503

Mary Ellen Emmons, President
Alaska Library Association
P.O. Box 81084
Fairbanks, AK 99708

Dr. Barbara O'Connor, Chairwoman
Mary Gardiner Jones, President
Alliance for Public Technology
Suite 230
901 15th Street, N.W.
Washington, DC 20005

Curtis T. White, Managing Partner
Allied Associated Partners, LP
GELD Information Systems
4201 Connecticut Avenue, N.W.
Washington, DC 20008-1158

Paul W. Schroeder
National Program Associate in Technology
and Telecommunications
American Foundation for the Blind
Suite 308
401 North Michigan Avenue
Chicago, IL 60611

Carol C. Henderson
Executive Director, ALA Washington Office
American Library Association
1301 Pennsylvania Avenue, N.W., Suite 403
Washington, DC 20004

Alan Dinsmore
Senior Governmental Relations Representative
American Foundation for the Blind
Governmental Relations Group
Suite 250
1615 M Street, N.W.
Washington, DC 20036

David J. Strom
In House Counsel
American Federation of Teachers
555 New Jersey Avenue, N.W.
Washington, DC 20001

Jay Sanders, M.D.
President
American Telemedicine Association
901 15th Street, N.W.
Washington, DC 20036

Nancy J. Sharp, MSN, RN
Executive Vice President
American College of Nurse Practitioners
Suite 350
2401 Pennsylvania Avenue, N.W.
Washington, DC 20037-1718

Kevin J. Donnellan
Acting Director, Legislation and Public Policy
American Association of Retired Persons
601 E Street, N.W.
Washington, DC 20049

Michael J. Karson
Ameritech
Room 4H88
2000 West Ameritech Center Drive
Hoffman Estates, IL 60196-1025

Lon C. Levin
Vice President & Regulatory Counsel
AMSC Subsidiary Corporation
10802 Park Ridge Boulevard
Reston, VA 22091

Lynn C. Silver
Education Policy Manager
Apple Computer, Inc.
Suite 410
1667 K Street, N.W.
Washington, DC 20006

Charles C. Curtis
Cathy J. Quinn
Associated Communications and Research
Services
817 N.E. 63rd Street
Oklahoma City, OK 73105

Marilyn Mohrman-Gillis
Vice President, Policy & Legal Affairs
Lonna M. Thompson
Director, Legal Affairs
Association of America's Public Television
Stations
Suite 200
1350 Connecticut Avenue, N.W.
Washington, DC 20036

David Ross, Chair
Association of the Bar of the City of New
York
42 West 44th Street
New York, NY 10036

Emily M. Williams
Association for Local Telecommunications
Services
1200 19th Street, N.W.
Washington, DC 20036

Mark C. Rosenblum
Peter H. Jacoby
Judy Sello
AT&T Corp.
Room 3244J1
295 North Maple Avenue
Basking Ridge, NJ 07920

Maureen A. Scott, Assistant Counsel
Veronica A. Smith, Deputy Chief Counsel
Attorneys for the Pennsylvania Public Utility
Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

Jeffrey E. Beck
Jillisa Bronfman
Beck & Ackerman
Suite 760
Four Embarcadero Center
San Francisco, CA 94111

Lawrence W. Katz
Bell Atlantic Telephone Companies
Eighth Floor
1320 North Courthouse Road
Arlington, VA 22201

Monroe E. Price
Professor of Law
Brookdale Center
Benjamin Cardozo School of Law/Yeshiva
University
55 Fifth Avenue
New York, NY 10003

Kevin Taglang
Benton Foundation
1634 Eye Street, N.W.
Washington, DC 20006

Mark D. Wilkerson, Esq.
Brantley & Wilkerson, P.C.
P.O. Box 830
Montgomery, AL 36101-0830

Virginia J. Taylor
Richard A. Elbrecht
California Department of Consumer Affairs
400 R Street, Suite 3090
Sacramento, CA 95814-6200

David Price, President
California Library Association
717 K Street, Suite 300
Sacramento, CA 95814-3477

Kevin Starr
State Librarian of California
California State Library
P.O. Box 942837
Sacramento, CA 94237-0001

Dale White
Commercial Services Manager
Churchill County Telephone & Telegraph
P.O. Box 1390
50 West Williams Avenue
Fallon, NV 89406

Richard M. Tettelbaum
Associate General Counsel
Citizens Utilities Company
Suite 500
1400 16th Street, N.W.
Washington, DC 20036

Wayne A. Leighton, Ph.D.
James L. Gattuso
Citizens for a Sound Economy Foundation
1250 H Street, N.W., Suite 700
Washington, DC 20005

Norman D. Rasmussen
Executive Vice President
Colorado Independent Telephone Association,
Inc.
3236 Hiwan Drive
Evergreen, CO 80439

David A. Beckett, Esq.
Assistant Attorney General
Colorado Public Utilities Commission
Office Level 2
1580 Logan Street
Denver, CO 80203

Robert C. Maier
Paul J. Kissman
Commonwealth of Massachusetts
Board of Library Commissioners
648 Beacon Street
Boston, MA 02215

Morton Bahr
Communications Workers of America
501 Third Street, N.W.
Washington, DC 20001-2797

Bradley C. Stillman, Esq.
Director, Telecommunications Policy
Dr. Mark N. Cooper
Director of Research
Consumer Federation of America
Suite 604
1424 16th Street, N.W.
Washington, DC 20036

Michael Casserly
Executive Director
Council of the Great City Schools
Suite 702
1301 Pennsylvania Avenue, N.W.
Washington, DC 20004

Michael J. Shortley, III
Counsel for Frontier Corporation
180 South Clinton Avenue
New York, NY 14646

Lisa M. Zaina
Ken Johnson
Counsel for OPASTCO
Suite 700
21 Dupont Circle, N.W.
Washington, DC 20036

David Cosson
L. Marie Guillory
Steve Watkins
Counsel for NTCA
2626 Pennsylvania Avenue, N.W.
Washington, DC 20037

M. Robert Sutherland
Richard M. Sbaratta
Rebecca M. Lough
Counsel for BellSouth Corporation and
BellSouth Telecommunications, Inc.
Suite 1700
1155 Peachtree Street, N.E.
Atlanta, GA 30309-3610

Robert M. Halperin
Crowell & Moring
1001 Pennsylvania Avenue, N.W.
Washington, DC 20004

James R. Hobson
Donelan, Cleary, Wood & Maser, PC
Suite 750
1100 New York Avenue, N.W.
Washington, DC 20005-3934

Leonard J. Kennedy
Todd D. Gray
Kenneth D. Salomon
Dow, Lohnes & Albertson
Suite 800
1200 New Hampshire Avenue, N.W.
Washington, DC 20036-6802

Joe D. Edge
Richard J. Arsenault
Drinker Biddle & Reath
901 Fifteenth Street, N.W.
Washington, DC 20005

Dr. William J. Tobin
Executive Director
Early Childhood Development Center
Legislative Coalition
3612 Bent Branch Court
Falls Church, VA 22041

Robert C. Heterick, Jr.
President
Educom
Suite 600
1112 16th Street, N.W.
Washington, DC 20036

Bruce D. Jacobs
Glenn S. Richards
Theodore N. Stern
Fisher Wayland Cooper Leader & Zaragoza,
L.L.P.
Suite 400
2001 Pennsylvania Avenue, N.W.
Washington, DC 20006

Bruce D. Jacobs
Jason S. Jacobs
Fisher Wayland Cooper Leader & Zaragoza,
L.L.P.
Suite 400
2001 Pennsylvania Avenue, N.W.
Washington, DC 20006

Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

Laura L. Wilson
Vice President, Regulatory Affairs &
Regulatory Counsel
Florida Cable Telecommunications
Association
310 North Monroe Street
Tallahassee, FL 32301

Marc A. Stone
Manager-Regulatory/Legislative Affairs
Fred Williamson & Associates, Inc.
2921 E. 91st Street
Tulsa, OK 74137-3300

Thomas E. Taylor
Jack B. Harrison
Frost & Jacobs
2500 PNC Centers
201 East Fifth Street
Cincinnati, OH 45202

Kathy L. Shobert
Director, Federal Affairs
General Communication, Inc.
Suite 900
901 15th Street, N.W.
Washington, DC 20005

Emily C. Hewitt
Vincent L. Crivella
Michael J. Ettner
General Services Administration
Room 4002
18th & F Streets, N.W.
Washington, DC 20405

B.B. Knowles, Director, Utilities Division
Terri M. Lyndall, Executive Secretary
Georgia Public Service Commission
244 Washington Street, S.W.
Atlanta, GA 30334-5701

Henry Goldberg
W. Kenneth Ferree
Goldberg, Godles, Wiener & Wright
1229 19th Street, N.W.
Washington, DC 20036

Dr. Ann Bishop, Assistant Professor
Dr. Leigh Estabrook, Dean
Graduate School of Library and Information
Science
University of Illinois at Urbana/Champagne
501 East Daniel Street
Champagne, IL 61820

Gail L. Polivy
GTE Service Corporation
1850 M Street, N.W.
Suite 1200
Washington, DC 20036

Kenneth T. Burchett
Vice President
GVNW Inc./Management
P.O. Box 230399
Portland, OR 97281-0399

Michael T. Skrivan
Harris, Skrivan & Associates, LLC
8801 S. Yale, Suite 220
Tulsa, OK 74137

Robert A. Hart IV
Hart Engineers
4615 North Boulevard
Baton Rouge, LA 70806

Charles H. Helein
General Counsel
Helein & Associates, P.C.
8180 Greensboro Drive, Suite 700
McLean, VA 22101

Lee Green, RN
Clinical Coordinator
High Plains Rural Health
218 East Kiowa Avenue
P.O. Box 575
Fort Morgan, CO 80701

Charles H. Carrathers, III
Hunton & Williams
951 East Byrd Street
Richmond, VA 23219

Jan F. Reimers
President
ICORE, Inc.
326 S. Second Street
Emmaus, PA 18049

Donald L. Howell, II
Deputy Attorney General
Idaho Public Utilities Commission
P.O. Box 83720
Boise, ID 83720-0074

Joseph A. Spagnolo
State Superintendent of Education
Illinois State Board of Education
100 North First Street
Springfield, IL 62777-0001

Robert D. Carlitz, Executive Director
Information Renaissance
c/o Anthony P. Picadio
Suite 4680
600 Grant Street
Pittsburgh, PA 15219

Ronald Dunn, President
Information Industry Association
Suite 700
1625 Massachusetts Avenue, N.W.
Washington, DC 20036

Angela J. Campbell
Ilene R. Penn
John Podesta
Institute for Public Representation
Georgetown University Law Center
600 New Jersey Avenue, N.W.
Washington, DC 20001

Chris Dalziel
Executive Director
Instructional Telecommunications Council
Suite 410
One Dupont Circle, N.W.
Washington, DC 20036

Dennis L. Bybee, Ph.D.
Associate Executive Officer
International Society for Technology in
Education
USA National Office
P. O. Box 4437
Alexandria, VA 22303

William H. Smith, Jr.
Chief, Bureau Rate & Safety Evaluation
Iowa Utilities Board
Lucas State Office Building
Des Moines, IA 50319

J. Kent Jerome
Secretary-Treasurer
Iowa Telephone Association
1601 22nd Street, Suite 290
West Des Moines, IA 50266

Harold M. Thompson
Chief Operating Officer
Iowa Communications Network
P.O. Box 587
Johnston, IA 50131-0587

David A. Irwin
Irwin, Campbell & Tannenwald, P.C.
1730 Rhode Island Avenue, N.W.
Washington, DC 20036

Michael S. Fox
Director, Regulatory Affairs
John Staurulakis, Inc.
6315 Seabrook Road
Seabrook, MD 20706

Jeffrey H. Smith
KATCO
P.O. Box 240
Keystone, NE 69144

Brad E. Mutschelknaus
John J. Heitmann
Kelley Drye & Warren
1200 19th Street, N.W.
Washington, DC 20036

Amy E. Dougherty
Attorney
Kentucky Public Service Commission
P.O. Box 615
Frankfort, KY 40602

Margot Smiley Humphrey
Koteen & Naftalin
Suite 1000
1150 Connecticut Avenue, N.W.
Washington, DC 20036

Gary M. Epstein
Teresa D. Baer
Michael S. Wroblewski
Latham & Watkins
Suite 1300
1001 Pennsylvania Avenue, N.W.
Washington, DC 20004

Thomas K. Crowe
Michael B. Adams, Jr.
Law Offices of Thomas K. Crowe, P.C.
Suite 800
2300 M Street, N.W.
Washington, DC 20037

David R. Poe
Yvonne M. Coviello
LeBoeuf, Lamb, Green & MacRoe, LLP
Suite 1200
1875 Connecticut Avenue, N.W.
Washington, DC 20009

Ellis Jacobs
Counsel for the Edgemont Neighborhood
Coalition
Legal Aid Society of Dayton
333 West First Street, Suite 500
Dayton, OH 45402

James S. Blaszak
Kevin S. DiLallo
Levine, Blaszak, Block & Boothby
Suite 500
1300 Connecticut Avenue, N.W.
Washington, DC 20036-1703

Jeffrey P. Johnson
Deputy State Librarian
Library of Michigan
717 W. Allegan Street
Lansing, MI 48909

Anne Wendler, Consultant
Lincoln Trail Libraries System
1704 W. Interstate Drive
Champaign, IL 61821

Lawrence C. St. Branc, Secretary
Gayle T. Kellner, Esq.
Louisiana Public Service Commission
P.O. Box 91154
Baton Rouge, LA 70821-9154

Kathleen B. Blauco, Chair
Louisiana Public Service Commission
P.O. Box 91154
Baton Rouge, LA 70821-9154

Joel B. Shifman, Esq.
Maine Public Utilities Commission
242 State Street
State House Station No. 18
Augusta, ME 04333-0018

J. Maurice Travillian
Assistant State Superintendant for Libraries
Division of Library and Services
Maryland State Department of Education
200 West Baltimore Street
Baltimore, MD 21201

Chris Frentrup
MCI Communications Corporation
1801 Pennsylvania Avenue, N.W.
Washington, DC 20006

Joseph S. Paykel
Andrew Jay Schwartzman
Gigi B. Sohn
Media Access Project
People for the American Way, et. al.
2000 M Street, N.W.
Washington, DC 20036

Mitchell Sprague
Kenneth Matheson
Doris Hammer
Mendocino Unified School District
P.O. Box 1154
Mendocino, CA 95460

Michael C. Strand
Executive Vice-President/General Counsel
Montana Independent Telecommunications
System Inc.
519 N. Sanders
P. O. 5237
Helena, MT 59604-5237

Karen Finstad Hammel, Esq.
Montana Public Service Commission
1701 Prospect Avenue
P.O. Box 202601
Helena, MT 59601-2601

Charles H. Kennedy
Morrison & Foerster, LLP
Suite 5500
2000 Pennsylvania Avenue, N.W.
Washington, DC 20006

Cheryl A. Tritt
James A. Casey
Morrison & Foerster, LLP
Suite 5500
2000 Pennsylvania Avenue, N.W.
Washington, DC 20006

Richard J. Johnson
Brian T. Grogan
Moss & Barnett
4800 Norwest Center
90 South Seventh Street
Minneapolis, MN 55402-4129

Kweisi Mfume
President, CEO
National Association for the Advancement of
Colored People
4805 Mt. Hope Drive
Baltimore, MD 21215-3297

Robert F. Manifold
Assistant Attorney General
Public Counsel Section
National Association of State Utility
Consumer Advocates
900 4th Avenue, Suite 2000
Seattle, WA 98164

Hon. Albert Vann
Member, New York State Assembly
National Black Caucus of State Legislators
Telecommunications & Energy Committee
Suite 422
Legislative Office Building
Albany, NY 12248

Ronald K. Greenhalgh
Chief Engineer
National Rural Electric Cooperative
Association
4301 Wilson Boulevard
Arlington, VA 22203-1860

National Association of Development
Organizations
Suite 630
444 North Capitol Street, N.W.
Washington, DC 20001

John E. Cawthorne
Vice President for Education
National Urban League
Boston College
106 Campion Hall
Chestnut Hill, MA 02148

Richard A. Askoff
National Exchange Carrier Association, Inc.
100 South Jefferson Road
Whippany, NJ 07981

Martin Avery, Executive Director
Navajo Nation Washington Office
Suite 250
1101 17th Street, N.W.
Washington, DC 20036

Donald Macke, Director
Nebraska Rural Development Commission
P.O. Box 94666
Lincoln, NE 68509

Commissioner Rod Johnson, Chairman
Nebraska Public Service Commission
300 The Atrium, 1200 N Street
P.O. Box 94927
Lincoln, NE 68509-4927

Ted Schultz
Vice President for Administrative Services
Nebraska Association of Hospitals and Health
Systems
Suite D
1640 L Street
Lincoln, NE 68508-2509

Herbert Pate, President
New Jersey Board of Public Utilities
2 Gateway Center
Newark, NJ 07102

Maureen O. Helmer
General Counsel
New York State Department of Public Service
Three Empire State Plaza
Albany, NY 12223-1350

Thomas E. Sheldon
Executive Deputy Commissioner of Education
New York State Board of Regents
The State Education Department of the
University of the State of New York
Albany, NY 12234

Joel Blau, Director, Utility Intervention
Douglas W. Elfner, Utility Intervenor
New York State Consumer Protection Board
Suite 1020
99 Washington Avenue
Albany, NY 12210

Veronica M. Ahern
Nixon Hargrave, Devans & Doyle, LLP
Suite 700
One Thomas Circle
Washington, DC 20006

Jon R. Rice, M.D.
State Health Officer
North Dakota Department of Health
600 East Boulevard Avenue
Bismarck, ND 58505-0200

Ronald A. Gagon
Executive Director
North of Boston Library Exchange, Inc.
26 Cherry Hill Drive
Danvers, MA 01923

Illona A. Jeffcoat-Sacco, Director
Public Utilities Division
North Dakota Public Service Commission on
Universal Service
State Capitol
600 E. Boulevard
Bismarck, ND 58505-0480

Gary Meissner
Director of MIS
Oakland Unified School District
1025 Second Avenue
Oakland, CA 94606

Dena S. Puskin, Sc.D.
Deputy Director
Office of Rural Health Policy
5600 Fishers Lane, Room 9-05
Rockville, MD 20857

Robert F. Kelley, Jr.
Advisor to the Governor
Office of the Governor
P.O. Box 2950
Agana, GUAM 96910

Kofi Asiedu Ofori
Anthony L. Pharr
Office of Communication of the United
Church of Christ
Suite 400
2000 M Street, N.W.
Washington, DC 20036

Sandra Mattavous-Frye
Associate People's Counsel
Office of the People's Counsel of the District
of Columbia
Suite 500
1133 15th Street, N.W.
Washington, DC 20005-2710

Robert S. Tongren
Karen J. Hardie
Office of the Ohio Consumers' Counsel
15th Floor
77 South High Street
Columbus, OH 43266-0550

Oklahoma Corporation Commission
P.O. Box 5200-2000
Oklahoma City, OK 73152-2000

Patrice McDermott
Information Policy Analyst
OMB Watch

1742 Connecticut Avenue, N.W.
Washington, DC 20009-1171

Richard A. Finnigan
Oregon Independent Telephone Association
Suite B-1
2405 Evergreen Park Drive, S.W.
Olympia, WA 98502

Roger Hamilton
Ron Eachus
Joan H. Smith
Oregon Public Utility Commission
550 Capital Street, N.E.
Salem, OR 97310-1380

Jeffrey B. Thomas
Pacific Bell and Nevada Bell
Room 1522A
140 New Montgomery Street
San Francisco, CA 94105

Randall E. Cape
Lucille M. Mates
Nancy C. Woolf
Pacific Telesis Group
140 New Montgomery Street, Room 1523
San Francisco, CA 94105

Paul Hoff
General Manager/CEO
Park Region Mutual Telephone Company
Underwood, MN 56586

Joe Dudick
Executive Director
Pennsylvania Rural Development Council
Room 506 Finance Building
Harrisburg, PA 17120

Peter Arth, Jr.
Edward W. O'Neill
Mary Mack Adu
People of the State of California and Public
Utilities Commission of the State of California
505 Van Ness Avenue
San Francisco, CA 94102

Ronald L. Plessner
James J. Halpert
Mark J. O'Connor
Piper & Marbury, L.L.P.
Seventh Floor
1200 19th Street, N.W.
Washington, DC 20036

Steve T. Nourse
Assistant Attorney General
Public Utilities Section
Public Utilities Commission of Ohio
180 East Broad Street
Columbus, OH 43215-3793

B. Robert Pillar, Esq., Executive Director
Gerald A. Norlander, Esq., Deputy Director
Public Utility Law Project of New York, Inc.
39 Columbia Street
Albany, NY 12207-2717

Delaine Kolbo, Legal Secretary
Public Utilities Commission
500 East Capitol
Pierre, SD 57501

Pat Wood, III
Robert W. Gee
Judy Walsh
Public Utility Commission of Texas
7800 Shoal Creek Boulevard
Austin, TX 78757

Jeff Richter
Public Service Commission of Wisconsin
610 North Whitney Way
P.O. Box 7854
Madison, WI 53707-7854

Cheryl L. Parrino, Chairman
Public Service Commission of Wisconsin
610 North Whitney Way
P.O. Box 7854
Madison, WI 53707-7854

Mark Savage
Stefan Rosenzweig
Carmela Castellano
Public Advocates, Inc.
1535 Mission Street
San Francisco, CA 94103

Delbert D. Smith
Stefan M. Lopatkiewicz
Brigitte L. Adams
Reed Smith Shaw & McClay
East Tower
1301 K Street, N.W.
Washington, DC 20005

Boyd D. Spiker
Chief Executive Officer
Rock Port Telephone Company
P.O. Box 147-107, Opp Street
Rock Port, MO 64482

Richard B. Bulman
Senior Vice President, Member Services
Rural Telephone Finance Cooperative
2201 Cooperative Way
Herndon, VA 22071

Howard Hunt, President
Rural Iowa Independent Telephone
Association
P.O. Box 10
Dixon, IA 52745

James T. Coyle
Shawnee Telephone Company
P.O. Box 69
Equality, IL 62934

R. Glenn Rhyne
Manager, Research Department
South Carolina Public Service Commission
P.O. Drawer 11649
Columbia, SC 29211

Anne U. MacClintock
Vice President-Regulatory Affairs & Public
Policy
Southern New England Telephone Company
227 Church Street
New Haven, CT 06510

Jeffrey P. Folsom, LCSW, J.D., Director
Southwest Montana Telepsychiatry Network
50 S. Last Chance Gulch
Helena, MT 59601

Robert M. Lynch
Durward D. Dupre
Mike Zpevak
Darryl W. Howard
Southwestern Bell Telephone Company
One Bell Center, Suite 3520
St. Louis, MO 63101

Maggie Murphy, Policy Intern
STAR Program
300 Centennial Building
658 Cedar Street
St. Paul, MN 55155

Dr. Edward H. Salmon, Commissioner
State of New Jersey
Board of Public Utilities
CN-350
Trenton, NJ 08625-0350

Tom Udall, Attorney General
Richard Weiner, Assistant Attorney General
State of New Mexico
P.O. Drawer 1508
Santa Fe, NM 87504

Thomas M. Benedict
Reginald J. Smith
Michael J. Kenney
State of Connecticut
Department of Public Utility Control
Once Central Park Plaza
New Britain, CT 06051

William J. Janklow, Governor
State of South Dakota
Executive Office
State Capitol
500 East Capitol
Pierre, SD 57501-5070

Alfred M. Mamlet
Philip L. Mamlet
Marc A. Paul
Steptoe & Johnson, LLP
1330 Connecticut Avenue, N.W.
Washington, DC 20036

David A. Kennedy
Dennis Small
Superintendent of Public Instruction
Old Capital Building
P.O. Box 47200
Olympia, WA 98504-7200

Randolph J. May
Timothy J. Cooney
Sutherland, Asbill & Brennan
1275 Pennsylvania Avenue, N.W.
Washington, DC 20004-2404

John C. Beachboard
Charles R. McClure
Kristin R. Eschenfelder
Syracuse University School of Information
Studies
4-116 Center for Science & Technology
Syracuse, NY 13244-4100

Randy Zach
TCA, Inc.
3617 Betty Drive, Suite I
Colorado Springs, CO 80917

O. Lee Darrington
Rhonda R. Maun
Telec Consulting Resources, Inc.
909 North 98th Street, Suite 203
Omaha, NE 68114-2508

Jot. D. Carpenter
Vice President, Government Relations
Telecommunications Industry Association
Suite 315
1201 Pennsylvania Avenue, N.W.
Washington, DC 20044-0407

Richard A. Muscat
Assistant Attorney General
Consumer Protection Division
Public Agency Representation
Texas Advisory Commission on State
Emergency Communications
P.O. Box 12548, Capitol Station
Austin, TX 78711-2548

Carolyn Purcell
Executive Director
Texas Department of Information Resources
P.O. Box 13564
Austin, TX 78711-3564

Suzi Ray McClellan, Public Counsel
Laurie Pappas, Deputy Public Counsel
Texas Office of Public Utility Counsel
Suite 290-E
7800 Shoal Creek Boulevard
Austin, TX 78757

Alison M. Hughes, MPA
Associate Director
The University of Arizona Health Sciences
Center
2501 East Elm Street
Tucson, AZ 85716

Walker Crewson
Executive Deputy Commissioner of Education
The New York State Education Department
Albany, NY 12234

Richard Civile
The Center for Civic Networking, Inc.
P.O. Box 53152
Washington, DC 20008

Daniel L. Brenner
Neal M. Goldberg
David L. Nicoll
The National Cable Television Association,
Inc.
1724 Massachusetts Avenue, N.W.
Washington, DC 20036

Jim Williams
Executive Director
The Federation of American Research
Networks
Suite 600
1112 16th Street, N.W.
Washington, DC 20036

P. Kenneth Komoski, Founding Director
W. Curtis Priest, Associate Director
The LINCT Coalition
466 Pleasant Street
Melrose, MA 02176-4522

Blossom A. Peretz, Esq.
The New Jersey Division of Ratepayer
Advocate
31 Clinton Street, 11th Floor
P.O. Box 46005
Newark, NJ 07101

Jeanne Hurley Simon
Chairperson
U.S. National Commission on Libraries and
Information Science
Suite 820
1110 Vermont Avenue, N.W.
Washington, DC 20005-3522

Richard W. Riley
Office of the Secretary
U.S. Department of Education
FB10, Room 6161
600 Independence Avenue, S.W.
Washington, DC 20202-0100

Katherine Grincewich
Office of the General Counsel
United States Catholic Conference
3211 4th Street, N.E.
Washington, DC 20017-1194

Mary McDermott
Linda Kent
Charles D. Cosson
United States Telephone Association
Suite 600
1401 H Street, N.W.
Washington, DC 20005

Allen P. Stayman, Director
United States Department of the Interior
Office of Insular Affairs
Washington, DC 20240

Edward C. Addison, Director
Division of Communications
Virginia State Corporation Commission
1300 East Main Street, 9th Floor
P.O. Box 1197
Richmond, VA 23218

Ann Lesser
Warren Library Association
205 Market Street
Warren, PA 16365

Teresa Pitts
Washington Utilities and Transportation
Commission
P.O. Box 47250
Olympia, WA 98504-7250

Frank C. Torres, III
Executive Director
Washington Liaison Office of the Governor of
Guam
444 North Capitol Street
Washington, DC 20001

Terry D. Blackwood
Billy Jack Gregg
West Virginia Consumer Advocate
700 Union Building
Charleston, WV 25301

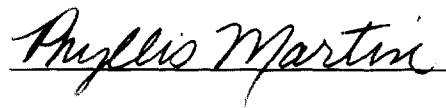
Philip L. Verveer
Brian A. Finley
Willkie Farr & Gallagher
Three Lafayette Centre
1155 21st Street, N.W.
Washington, DC 20036

Kenneth Lein, Manager
Winnebago Cooperative Telephone
Association
704 East Main
Lake Mills, IA 50450

Deborah C. Costlow
Treg Tremont
Winston & Strawn
1400 L Street, N.W.
Washington, DC 20005

Robert Bocher
Technology Consultant
Wisconsin Department of Public Instruction
P.O. Box 7841
Madison, WI 53707-7841

Catherine R. Sloan
Richard L. Fruchterman
Richard S. Whitt
WorldCom, Inc.
d/b/a LDDS WorldCom
1120 Connecticut Avenue, N.W., Suite 400
Washington, DC 20036

A handwritten signature in cursive script, reading "Phyllis Martin", written in black ink.

*By Hand